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Security Council

Sixty-first year

Provisional

5392nd meeting

Tuesday, 21 March 2006, 10.50 a.m.

New York

President:	Mr. Mayoral	(Argentina)
Members:	China	Mr. Wang Guangya
	Congo	Mr. Gayama
	Denmark	Ms. Løj
	France	Mr. De La Sablière
	Ghana	Nana Effah-Apenteng
	Greece	Mr. Vassilakis
	Japan	Mr. Kitaoka
	Peru	Mr. De Rivero
	Qatar	Mr. Al-Nasser
	Russian Federation	Mr. Dolgov
	Slovakia	Mr. Burian
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United Republic of Tanzania	Mr. Mahiga
	United States of America	Mr. Bolton

Agenda

Reports of the Secretary-General on the Sudan

Monthly report of the Secretary-General on Darfur (S/2006/148)

Report of the Secretary-General on the Sudan (S/2006/160)

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The meeting was called to order at 10.50 a.m.

Adoption of the agenda

The agenda was adopted.

Reports of the Secretary-General on the Sudan

Monthly report of the Secretary-General on Darfur (S/2006/148)

Report of the Secretary-General on the Sudan (S/2006/160)

The President (*spoke in Spanish*): In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Jan Pronk, Special Representative of the Secretary-General for the Sudan and Head of the United Nations Mission in the Sudan.

It is so decided.

I invite Mr. Pronk to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the monthly report of the Secretary-General on Darfur, document S/2006/148.

Members of the Council also have before them the report of the Secretary-General on the Sudan, document S/2006/160.

At this meeting, the Security Council will hear a briefing by Mr. Jan Pronk, Special Representative of the Secretary-General for the Sudan and Head of the United Nations Mission in the Sudan.

I give the floor to Mr. Pronk.

Mr. Pronk: I will first make a number of remarks on the basis of the Comprehensive Peace Agreement (CPA) mandate, and, in the second part of my briefing, I will elaborate on aspects concerning Darfur.

The implementation of the CPA is still on track. However, forming commissions — and quite a number of these commissions have been established — is just the first step. Success or failure will be judged by their performance. Both the National Congress Party and the Sudan People's Liberation Movement have respected the letter of the Agreement, but on the ground there is an increasing climate of mistrust between the two parties. Mutual trust can be restored through visionary leadership. President Bashir, speaking to a southern audience in Juba, showed enlightened leadership when he stated that the people in the south would be free to vote for secession in the referendum, five years from now, and that he would prefer secession to another war. From his side, Vice-President Kiir put to rest the political dispute on oil by declaring, during the first Meeting of the Sudan Consortium in Paris, that there is no longer any substantial disagreement on the sharing of oil between the north and the south.

The Consortium Meeting in itself, held on 9 and 10 March, was very successful. The two parties, led by Salva Kiir, united to participate as the Government of National Unity. That was an encouraging sign. The commitments made by both the north and the south to ensure transparency and accountability, as well as good financial and economic governance, augur well for a development policy which will not only benefit the leaders and the middle class but will also help fight poverty.

In Paris, the Government of the Sudan went further than just making promises. Last year's accounts were made transparent, and this year's budget was disclosed. This is essential so as to translate peace into a tangible peace dividend through poverty reduction and sustainable economic development.

Southern Sudan suffers from severe poverty. Its population lacks basic necessities. Since the signing of the Peace Agreement, no tangible reconstruction has taken place. People are returning, but they lack the means to reintegrate. There are mines everywhere. Their clearance, necessary to enable people to live safely, has not started. Disarmament of combatants has yet to begin. The city of Juba, already short of water and power, is receiving more and more people. Sanitation is deplorable. Diarrhoea and cholera are on the rise. Many villages can hardly sustain the increasing number of their inhabitants because food production is insufficient. The reconstruction and development deficit in the south is the greatest challenge to peace. If it is not addressed, people will ask what difference peace has made to them. Frustration will mount. Violence will increase. After

the war, there will be plenty of weapons for those who want to grab the scant resources in order to survive.

The security situation in the south already shows signs of deterioration. The disarmament of ex-combatants has not yet started. The incorporation of other armed groups is not taking place smoothly. The situation requires a substantial and secured increase in financial resources for disarmament, demobilization and reintegration (DDR). Following the decision of Paulino Matip — the leader of the former South Sudan Defence Forces (SSDF), the other southern rebel movement — to integrate his forces into the Sudan People's Liberation Army (SPLA), a decision based on a provision in the Comprehensive Peace Agreement, we have begun to witness violent clashes between rival factions. In the Abyei area, a convoy of unarmed passengers was ambushed, and more than 20 were killed and more than 30 injured. Former SSDF commanders who were persuaded to stay within the Sudanese Armed Forces rather than joining the SPLA — persuaded with money and weapons — are rumoured to have planned this attack. New convoys of former SSDF soldiers and their families have left Khartoum and passed through the highly contentious area of Abyei on their way to the south. The United Nations Mission in the Sudan (UNMIS) has been able to mediate and monitor a safe passage. However, the situation is still tense. No action has been taken so far against the perpetrators, who continue to roam the area.

The security mechanism envisioned by the CPA to counter such issues is the joint integrated units, which to date are still not functional. This is a matter of great concern. Moreover, the Government has severely curtailed our freedom of movement in the Abyei area and has informed us that UNMIS should operate only to the south of a line drawn by the Government. In our view, this is a violation of both the Status of Forces Agreement (SOFA) and the CPA. Moreover, it hampers our ability to monitor troop movements in one of the most contentious areas. We hope that this issue will be resolved at the forthcoming meeting of the Ceasefire Political Committee (CPC) next week.

After a prolonged delay, the CPC met for the first time on 20 February. It decided to meet once a month. In addition to Abyei, other pending issues will have to be discussed. These include the situation in the east, the disclosure of all SAF and SPLA dispositions, the formation of the joint integrated units, the Lord's Resistance Army (LRA), the status of the border between north and south, in particular the so-called three areas of Southern Kordofan, Blue Nile and Abyei. These issues cannot be solved by holding separate bilateral talks with the SPLA and the SAF; they have to be dealt with within the official CPA institutions.

One of those institutions is the Ceasefire Joint Military Committee (CJMC), chaired by the UNMIS Force Commander, which meets every fortnight in Juba. So far, 20 meetings have taken place. The CJMC has been the most active and most successful CPA institution.

Since mid-2005 we have witnessed an increasing number of violent incidents in the south, sometimes tribal, sometimes related to the other armed groups, sometimes resulting from clashes between nomads and farmers or between returning internally displaced persons and local populations, sometimes due to attacks by dissatisfied, unpaid soldiers who went looting, and sometimes as a result of local disputes that turn into a tribal or political confrontation. So far, UNMIS, with the help of the tripartite CPA structure — the CJMC, the Area Joint Military Committees (AJMCs) and the Joint Military Teams (JMTs) — has been able to contain such violence. We applied a unified approach that brings together the military, police and civilian components, including the humanitarian, human rights, protection, demining, DDR and local experts. Our prompt and unified response has enabled us to prevent escalation.

However, tension is mounting. It is not clear to what extent the redeployment of the SAF and the SPLA has taken place in practice. On paper, the CPA intermediate targets have been met, but there are indications of troop movements not notified in advance and not accounted for. We have started an overall audit of all locations and all movements, but we depend upon the cooperation of the parties. The fact that Sudanese monitors, both northern and southern, who accompany UNMIS monitors cannot, according to United Nations rules, be paid a fee is affecting their cooperation and diminishing our monitoring capacity.

A second concern is the east. In May last year UNMIS was able to facilitate a gentleman's agreement between the Government and the eastern front not to attack each other anymore. Both expressed their willingness to start talks about talks. Since then, other

international facilitators and mediators entered the scene. This resulted in an indefinite postponement of even the beginning of talks. These should have produced a certain result before the withdrawal of SPLA from the east, which should have taken place before 9 January.

In December of last year, the Security Council was asked to extend the UNMIS mandate beyond the SPLA redeployment in order to help avoid an armed confrontation between the SAF and the eastern front. The Council has not taken a decision. This is limiting our capacity to monitor and mediate. Since January, we have monitors in the contested area of Hamesh Koerieb, following an incursion of paramilitary combatants in the area. The SPLA has been granted an extension of stay for a couple of months. UNMIS has been able to maintain the status quo. However, if the Council further postpones a decision, violence may flare in the east.

A third concern is the continuing presence of the LRA in southern Sudan. This has forced UNMIS to maintain a high security alert that restricts many operations. The LRA continues to loot and to kill the local population. Since the International Criminal Court (ICC) indictments at the end of last year, LRA attacks have increased. Humanitarian workers have been killed. Three attacks on compounds in Yambio, Yei and this weekend again in Yambio took place. While on the one hand there is a need to create space for a political solution, on the other we must strengthen our capacity to protect and defend and to confront LRA support mechanisms within and outside of Sudan.

I am pleased to announce that we have reached 80 per cent of our envisaged deployment in the south. In the light of the precarious security situation just described, we need full capacity soon. Cannibalization of any forces from southern Sudan would be tantamount to sending the watchman home in the afternoon.

I am pleased to announce that we have successfully concluded the Status of Forces Agreement with the Government. Implementation of the Agreement — for example, freedom of movement and United Nations Radio broadcasts — will indicate its success or failure. There is much harassment of United Nations staff on the ground. That is mainly due to local authorities. The Government has shown the will to cooperate.

In the wake of the publishing of the infamous cartoons, there were demonstrations across the Northern Sudan also, but the Sudanese reaction to that issue was much more moderate compared to protests in other Muslim countries. Demonstrations were peaceful and controlled and the authorities were successful in preventing attacks on individuals on the basis of their nationality.

I am also pleased with the extension of the moratorium on measures curtailing humanitarian assistance. That, as members may remember, was negotiated for the first time in July 2004 between Secretary-General Kofi Annan and President Bashir. It has now been extended to January 2007 throughout the Sudan. That enables us to plan and implement assistance better. We hope that it will have a concrete effect on the ground. We also hope that neither the recent law on non-governmental organizations nor the practices of the Sudanese national security forces will overshadow that positive development.

Another positive development concerns displaced persons in and around Khartoum. The plight of those people has been tragic. Many of them are extremely poor, deprived of assistance, and without an income enabling them to buy the minimum necessary. Last week, the Wali of Khartoum announced that there will be no more forced relocation of internally displaced persons. That decision, resulting from cooperation between the international community and the local authorities, implies that they can stay where they are rather than being threatened with the destruction of their dwellings and with having to start all over again somewhere in the desert.

I now want to make a number of comments concerning Darfur.

The Darfurians continue to yearn for peace. Killings, rapes and abuses of human rights, in direct violation of the agreements and Security Council resolutions, constitute a threat to peace in the Sudan as a whole, for peace is indivisible. Since my last brief, I feel no joy in adding the towns of Sharia and Graida to Aro Sharow, Tama, Abu Sorouj, Tawila, Labado, Hamada and Khor Abeche, which all stand witness to cruel atrocities, terror, killings and rape. That is a list of shame.

In January, I proposed that we would need to change our strategy because it had failed. There was no peace agreement and the killings continued. Two months later, the situation remains the same. In the

Jabal Marra, fighting between the Government and the Sudan Liberation Army continued and intensified up to and including this weekend. Along the border with Chad, the tensions heightened; it is a no-go area for humanitarians. In South Darfur, militias continue to cleanse village after village. The Government has not disarmed them. On the contrary, African Union commanders on the ground openly speak about continued support for militias from forces allied to the Government. Rebel movements are more and more fragmented, fight each other, form new alliances and break them, and alienate themselves from their representatives in Abuja. Demands laid down in Security Council resolutions are brushed aside. The N'Djamena ceasefire agreement is violated day after day. Both parties know that those violations will be noted, but neither discussed nor addressed, let alone sanctioned. The ceasefire does not function; the Joint Committee does not meet. The sanctions foreseen with the establishment of the Security Council Panel of Experts exist only in theory.

Our strategy should focus on two objectives: peace and protection — peace between the warring parties, and the protection of unarmed civilians, in particular against movements that do not bother to sit at the table and talk peace. Three steps are necessary.

First, there must be the swift conclusion of an agreement in Abuja on power and wealth-sharing, followed by an all-inclusive Darfur-Darfur dialogue between all stakeholders, including civil society, to make it sustainable. Secondly, there must be a new ceasefire agreement that can hold. That requires unequivocal language in the agreement, firm implementation provisions and procedures, clear sanctions on violations, and a chair representing a strong peacekeeping force to ensure that all violations are addressed fully, in a timely manner and impartially. A so-called humanitarian ceasefire, guaranteeing humanitarian assistance and relief workers' access to victims, is not sufficient. A comprehensive ceasefire should guarantee that the victims themselves are protected and that no new victims are made. Thirdly, we must have a robust peace force, large enough to be everywhere it is needed, strong enough to deter any attack, and with a mandate broad enough to meet all possible threats, with staying power, and long enough to instil confidence amongst all people in Darfur, including potential returnees.

The performance of the African Union peace force with limited resources has been more than commendable. Now that the African Union Peace and Security Council has decided, in principle, to support a transition to a United Nations operation in Darfur, the international community must provide all necessary resources to preserve the lives and aspirations of the people in Darfur. We must take steps to augment the African Union, concurrent with planning for the transition. Whoever is on the ground and whenever the transition takes place, a substantial strengthening of the present peacekeeping forces in Darfur is required as soon as possible.

Public reaction to the transition in the Sudan, at present, may not be very positive. Several demonstrations, sermons in the mosques and media sound-bites indicate a carefully orchestrated campaign against United Nations operations in Darfur. During my visits to Darfur, I found a genuine desire for peace amongst all spectrums of the population. I also found the audiences misinformed. Many Sudanese people were confused about the United Nations, its Charter, its principles and its objectives. People expressed genuine fear of the Iraq scenario being repeated in the Sudan.

In order to address all of this, it is essential that we engage in consultations with the Government of the Sudan. By doing so, we can allay fears, correct perceptions and, on the basis of the United Nations Charter, make clear that the extension of the United Nations presence in Sudan is not an infringement on the country's sovereignty. The consent of the Government of the Sudan in the transition to United Nations operations — hopefully following a peace agreement in Abuja — will greatly advance the cause of peace in the Sudan.

Two months ago, in this Chamber, I said that hope, although a noble concept, has its limits. We must mend our own shortcomings and provide a future United Nations operation in Darfur with a robust mandate and a strong force, not just to preserve lives, but to ensure that all Darfurians can choose to live wherever they want to and that their children can look forward to a future that their parents were denied.

The President (*spoke in Spanish*): I thank Mr. Pronk for his briefing.

In accordance with the understanding reached in the Council's prior consultations, I shall now invite Council members to informal consultations to continue our discussion on the subject.

The meeting rose at 11.20 a.m.